



Senate

General Assembly

File No. 538

February Session, 2014

Substitute Senate Bill No. 54

Senate, April 15, 2014

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-220 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) Each local or regional board of education shall maintain good
4 public elementary and secondary schools, implement the educational
5 interests of the state, as defined in section 10-4a, and provide such
6 other educational activities as in its judgment will best serve the
7 interests of the school district; provided any board of education may
8 secure such opportunities in another school district in accordance with
9 provisions of the general statutes and shall give all the children of the
10 school district as nearly equal advantages as may be practicable; shall
11 provide an appropriate learning environment for its students which
12 includes (1) adequate instructional books, supplies, materials,
13 equipment, staffing, facilities and technology, (2) equitable allocation
14 of resources among its schools, (3) proper maintenance of facilities,

15 and (4) a safe school setting; shall, in accordance with the provisions of
16 subsection (f) of this section, maintain records of allegations,
17 investigations and reports that a child has been abused or neglected by
18 a school employee, as defined in section 53a-65, employed by the local
19 or regional board of education; shall have charge of the schools of its
20 respective school district; shall make a continuing study of the need for
21 school facilities and of a long-term school building program and from
22 time to time make recommendations based on such study to the town;
23 shall adopt and implement an indoor air quality program that
24 provides for ongoing maintenance and facility reviews necessary for
25 the maintenance and improvement of the indoor air quality of its
26 facilities; shall adopt and implement a green cleaning program,
27 pursuant to section 10-231g, that provides for the procurement and use
28 of environmentally preferable cleaning products in school buildings
29 and facilities; on and after July 1, 2011, and triennially thereafter, shall
30 report to the Commissioner of Administrative Services on the
31 condition of its facilities and the action taken to implement its long-
32 term school building program, indoor air quality program and green
33 cleaning program, which report the Commissioner of Administrative
34 Services shall use to prepare a triennial report that said commissioner
35 shall submit in accordance with section 11-4a to the joint standing
36 committee of the General Assembly having cognizance of matters
37 relating to education; shall advise the Commissioner of Administrative
38 Services of the relationship between any individual school building
39 project pursuant to chapter 173 and such long-term school building
40 program; shall have the care, maintenance and operation of buildings,
41 lands, apparatus and other property used for school purposes and at
42 all times shall insure all such buildings and all capital equipment
43 contained therein against loss in an amount not less than eighty per
44 cent of replacement cost; shall determine the number, age and
45 qualifications of the pupils to be admitted into each school; shall
46 develop and implement a written plan for minority staff recruitment
47 for purposes of subdivision (3) of section 10-4a; shall employ and
48 dismiss the teachers of the schools of such district subject to the
49 provisions of sections 10-151 and 10-158a; shall designate the schools

50 which shall be attended by the various children within the school
51 district; shall make such provisions as will enable each child of school
52 age residing in the district to attend some public day school for the
53 period required by law and provide for the transportation of children
54 wherever transportation is reasonable and desirable, and for such
55 purpose may make contracts covering periods of not more than five
56 years; shall adopt and implement a policy, or enter into a
57 memorandum of understanding with a law enforcement agency,
58 regarding the role and responsibility of any sworn police officer of the
59 local law enforcement agency or a sworn officer of the Division of State
60 Police within the Department of Emergency Services and Public
61 Protection who has been assigned to any school pursuant to an
62 agreement between the local or regional board of education and the
63 chief of police of the local law enforcement agency or the commanding
64 officer of the Division of State Police, such policy or memorandum of
65 understanding shall include provisions addressing daily interactions
66 between students and school personnel with law enforcement
67 personnel and may utilize a graduated response model for student
68 discipline; may place in an alternative school program or other suitable
69 educational program a pupil enrolling in school who is nineteen years
70 of age or older and cannot acquire a sufficient number of credits for
71 graduation by age twenty-one; may arrange with the board of
72 education of an adjacent town for the instruction therein of such
73 children as can attend school in such adjacent town more conveniently;
74 shall cause each child five years of age and over and under eighteen
75 years of age who is not a high school graduate and is living in the
76 school district to attend school in accordance with the provisions of
77 section 10-184, and shall perform all acts required of it by the town or
78 necessary to carry into effect the powers and duties imposed by law.

79 (b) The board of education of each local or regional school district
80 shall, with the participation of parents, students, school administrators,
81 teachers, citizens, local elected officials and any other individuals or
82 groups such board shall deem appropriate, prepare a statement of
83 educational goals for such local or regional school district. The
84 statement of goals shall be consistent with state-wide goals pursuant to

85 subsection (c) of section 10-4. Each local or regional board of education
86 shall annually establish student objectives for the school year which
87 relate directly to the statement of educational goals prepared pursuant
88 to this subsection and which identify specific expectations for students
89 in terms of skills, knowledge and competence.

90 (c) Annually, each local and regional board of education shall
91 submit to the Commissioner of Education a strategic school profile
92 report for each school under its jurisdiction and for the school district
93 as a whole. The superintendent of each local and regional school
94 district shall present the profile report at the next regularly scheduled
95 public meeting of the board of education after each November first.
96 The profile report shall provide information on measures of (1) student
97 needs, (2) school resources, including technological resources and
98 utilization of such resources and infrastructure, (3) student and school
99 performance, including truancy, in-school suspensions, out-of-school
100 suspensions and expulsions, (4) the number of students enrolled in an
101 adult high school credit diploma program, pursuant to section 10-69,
102 operated by a local or regional board of education or a regional
103 educational service center, (5) equitable allocation of resources among
104 its schools, (6) reduction of racial, ethnic and economic isolation, (7)
105 school-based arrests, and [(7)] (8) special education. For purposes of
106 this subsection, measures of special education include (A) special
107 education identification rates by disability, (B) rates at which special
108 education students are exempted from mastery testing pursuant to
109 section 10-14q, (C) expenditures for special education, including such
110 expenditures as a percentage of total expenditures, (D) achievement
111 data for special education students, (E) rates at which students
112 identified as requiring special education are no longer identified as
113 requiring special education, (F) the availability of supplemental
114 educational services for students lacking basic educational skills, (G)
115 the amount of special education student instructional time with
116 nondisabled peers, (H) the number of students placed out-of-district,
117 and (I) the actions taken by the school district to improve special
118 education programs, as indicated by analyses of the local data
119 provided in subparagraphs (A) to (H), inclusive, of this subdivision.

120 The superintendent shall include in the narrative portion of the report
121 information about parental involvement and if the district has taken
122 measures to improve parental involvement, including, but not limited
123 to, employment of methods to engage parents in the planning and
124 improvement of school programs and methods to increase support to
125 parents working at home with their children on learning activities. For
126 purposes of this subsection, measures of truancy include the type of
127 data that is required to be collected by the Department of Education
128 regarding attendance and unexcused absences in order for the
129 department to comply with federal reporting requirements and the
130 actions taken by the local or regional board of education to reduce
131 truancy in the school district. Such truancy data shall be considered a
132 public record for purposes of chapter 14. For purposes of this
133 subsection, "school-based arrest" means an arrest of a student who is
134 enrolled in a school under the jurisdiction of the local or regional board
135 of education preparing the strategic school profile report and on school
136 property during the school day, or an arrest of such student at a
137 school-sponsored activity conducted on or off school property. For
138 purposes of this subsection, measures of school-based arrests shall
139 include the number of arrests made annually at each school within the
140 school district. The Department of Education shall include the number
141 of school-based arrests in the school's strategic profile report. The
142 Department of Education shall disaggregate measures of school-based
143 arrests by school, race, ethnicity, gender, age, students with a disability
144 and the type of offense for which the school-based arrest was made.
145 The Department of Education shall make the disaggregated measures
146 of school-based arrests available through the state-wide public school
147 information system implemented pursuant to section 10-10a.

148 (d) Prior to January 1, 2008, and every five years thereafter, for
149 every school building that is or has been constructed, extended,
150 renovated or replaced on or after January 1, 2003, a local or regional
151 board of education shall provide for a uniform inspection and
152 evaluation program of the indoor air quality within such [buildings]
153 building, such as the Environmental Protection Agency's Indoor Air
154 Quality Tools for Schools Program. The inspection and evaluation

155 program shall include, but not be limited to, a review, inspection or
156 evaluation of the following: (1) The heating, ventilation and air
157 conditioning systems; (2) radon levels in the air; (3) potential for
158 exposure to microbiological airborne particles, including, but not
159 limited to, fungi, mold and bacteria; (4) chemical compounds of
160 concern to indoor air quality including, but not limited to, volatile
161 organic compounds; (5) the degree of pest infestation, including, but
162 not limited to, insects and rodents; (6) the degree of pesticide usage; (7)
163 the presence of and the plans for removal of any hazardous substances
164 that are contained on the list prepared pursuant to Section 302 of the
165 federal Emergency Planning and Community Right-to-Know Act, 42
166 USC 9601 et seq.; (8) ventilation systems; (9) plumbing, including
167 water distribution systems, drainage systems and fixtures; (10)
168 moisture incursion; (11) the overall cleanliness of the facilities; (12)
169 building structural elements, including, but not limited to, roofing,
170 basements or slabs; (13) the use of space, particularly areas that were
171 designed to be unoccupied; and (14) the provision of indoor air quality
172 maintenance training for building staff. Local and regional boards of
173 education conducting evaluations pursuant to this subsection shall
174 make available for public inspection the results of the inspection and
175 evaluation at a regularly scheduled board of education meeting and on
176 the board's or each individual school's web site.

177 (e) Each local and regional board of education shall establish a
178 school district curriculum committee. The committee shall
179 recommend, develop, review and approve all curriculum for the local
180 or regional school district.

181 (f) Each local and regional board of education shall maintain in a
182 central location all records of allegations, investigations and reports
183 that a child has been abused or neglected by a school employee, as
184 defined in section 53a-65, employed by the local or regional board of
185 education, conducted pursuant to sections 17a-101a to 17a-101d,
186 inclusive, and section 17a-103. Such records shall include any reports
187 made to the Department of Children and Families. The Department of
188 Education shall have access to such records.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2014</i>	10-220
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JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes changes that are procedural in nature and that conforms current practice to statute, none of which result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 54*****AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL.*****SUMMARY:**

This bill requires a local or regional school board to adopt and implement a policy or enter into a memorandum of understanding (MOU) with a local law enforcement agency or the Division of State Police defining the role and responsibility of any sworn police officer placed in a school under an agreement with the police agency. These policies and MOUs must address daily interactions between students, school personnel, and police officers and may use a graduated response model for student discipline (see BACKGROUND).

By law, each local and regional school board must submit to the education commissioner annual strategic school profile (SSP) data (e.g., student performance). The bill requires the data to also include measures of (1) in-school and out-of-school suspensions and expulsions and (2) school-based arrests. The bill requires the State Department of Education to include the arrest numbers in the SSP report it prepares for each school. It must also (1) disaggregate arrest information by school, race, ethnicity, gender, age, disability status, and type of offense and (2) make it available through the statewide public school information system. The system is a student-tracking database that protects individual confidentiality, yet makes information available for limited purposes.

EFFECTIVE DATE: July 1, 2014

SCHOOL-BASED ARRESTS

The bill defines a “school-based arrest” as an arrest, on school property during the school day or at a school-sponsored activity on or

off school property, of a student enrolled in a school under the jurisdiction of a local or regional board of education responsible for submitting the SSP. “Measures of school-based arrests” means the number of arrests made that year at each school in the reporting district.

BACKGROUND

Graduated Response Model

The Juvenile Justice Advisory Committee, which advises the governor and the Office of Policy and Management on juvenile justice and delinquency prevention, developed a model MOU for use between districts and police departments. The graduated response model in its MOU contains guidelines on classroom intervention, school administrative intervention, assessment and service provision, and law enforcement intervention.

Related Bill

sHB 5355, File 403, favorably reported by the Education Committee, contains similar provisions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 32 Nay 6 (03/28/2014)